

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

**FILED
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3/28/2022 2:10 pm

**U.S. DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
LONG ISLAND OFFICE**

JANE DOE,

Plaintiff,

v.

LONG ISLAND MOTORS, INC.,
et al.,

Defendants.

* * * * *

* Case No. 21-CV-01232 (GRB)
*
* Long Island Federal
* Courthouse
* 100 Federal Plaza
* Central Islip, NY 11222
*
* February 23, 2022
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TRANSCRIPT OF CIVIL CAUSE FOR
DAMAGES INQUEST HEARING
BEFORE THE HONORABLE STEVEN L. TISCIONE
UNITED STATES MAGISTRATE JUDGE

APPEARANCES:

For the Plaintiff:

JOSHUA M. FRIEDMAN, ESQ.
Phillips & Associates
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Garden City, NY 11530

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WITNESSES
FOR THE
PLAINTIFF:

Direct

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1 (Proceedings commenced at 2:10 p.m.)

2 THE COURT: Good afternoon.

3 MR. FRIEDMAN: Good afternoon, Your Honor.

4 THE CLERK: Court is now in session. The Honorable
5 Steven Tiscione presiding.

6 Civil cause for damages, Doe vs. Long Island
7 Motors, Incorporated, et al, Docket No. 21-CV-1232. Counsel,
8 please state your appearances for the record beginning with
9 the plaintiff.

10 MR. FRIEDMAN: Good afternoon, Your Honor. Joshua
11 Friedman from Phillips & Associates on behalf of the
12 plaintiff, Ms. Doe.

13 THE COURT: All right. Good afternoon. You can be
14 seated.

15 The defendant did not appear.

16 All right. So this is on for a damages inquest.
17 Obviously, I've reviewed all the paperwork. So I assume that
18 we have at least one live witness for today's proceeding.

19 How many witnesses do you plan on calling?

20 MR. FRIEDMAN: Two, Your Honor. Ms. Doe, and then
21 her mom as an emotional distress damages witness.

22 THE COURT: Okay. You can call your first witness.

23 MR. FRIEDMAN: Plaintiff calls Ms. Doe, plaintiff,
24 to the stand.

25 THE COURT: Okay.

1 (The witness is sworn)

2

3 MR. FRIEDMAN: Your Honor, I just had one

4 housekeeping matter before I begin.

5 THE COURT: Sure.

6 MR. FRIEDMAN: We have her, plaintiff's, W-2s for

7 every place that she worked subsequent to the termination.

8 THE COURT: Okay.

9 MR. FRIEDMAN: Do you want me to admit each of

10 those one by one? Can we authenticate them all together?

11 THE COURT: You could do it all together. It would

12 just make it easier.

13 MR. FRIEDMAN: Great. Okay.

14 JANE DOE

15 DIRECT EXAMINATION

16 BY MR. FRIEDMAN:

17 Q Ms. Doe, are you ready to begin?

18 A Yes.

19 Q Okay. And before we talk about Long Island Motors, can

20 you just briefly tell the judge about your educational

21 background.

22 A Yes. I have a bachelor's in science, security systems.

23 I was also an athlete playing basketball.

24 Q And when you said basketball, did you play basketball in

25 college?

1 A Yes. I played basketball junior high school, high
2 school and college. I thought I was going to be in the WNBA,
3 but I tore my meniscus.

4 THE COURT: Where did you go to college?

5 THE WITNESS: In college. Oh, sorry. Farmingdale
6 State University. But it didn't stop me from playing
7 basketball. I kept playing.

8 BY MR. FRIEDMAN:

9 Q And after you graduated from Farmingdale State, did you
10 work at any non-profit or volunteer -- or do any volunteer
11 work?

12 A Yes. I actually worked for a non-profit organization
13 called Children International. I did that for two years. I
14 saved over 4,000 children in third-world countries.

15 Q And for Children International, what kind of work did
16 you do for them? What were some of your duties and
17 responsibilities?

18 A I was actually in all boroughs talking to strangers and
19 just letting them know, getting a child sponsor to help these
20 children get the five human resources which was school, food,
21 clothing, medical care.

22 Q And did you do any volunteer work in college or after
23 that?

24 A Yes. Every year I would feed the homeless at certain
25 shelters.

1 Q Okay. And was that part of a basketball program or
2 something else?

3 A I actually volunteered.

4 Q Okay. And so I would like to direct your attention to
5 your employment with Long Island Motors and David Delvecchio.
6 At some point did you apply for a position at Long Island
7 Motors?

8 A Yes.

9 Q Okay. And after you submitted that application, did
10 someone from the dealership contact you?

11 A Yes.

12 Q Okay. Who was that?

13 A David.

14 Q And by David, do you mean the defendant, David
15 Delvecchio?

16 A Yes.

17 Q And what did David say to you?

18 A David asked was I looking for a job? They received my
19 resume. And I told him, yes. And he actually told me he
20 tried to reach out to me a couple of hours earlier, and I
21 missed his call, and told me I could come in for my interview
22 and do an application.

23 Q Okay. And did you do that? Did you go in for an
24 interview?

25 A Yes.

1 Q Okay. And who did you interview with at Long Island
2 Motors?

3 A David.

4 Q And that's the defendant, David Delvecchio?

5 A Yes.

6 Q Okay. And the interview, where at the facility or the
7 building did it take place?

8 A In his office.

9 Q Okay. And can you describe the interview? What
10 happened during the interview?

11 A Once I came in, David saw me. He told me I was
12 beautiful. And I told him my name is Coress. I told him
13 thank you.

14 And I was still standing up and my purse had my shirt up
15 a little bit and right then and there David took -- asked me
16 if I had any tattoos. And I looked down. I told him, yes,
17 smiling. And I just put my shirt down and I had a seat.

18 Q Okay. You mentioned that David said that you were
19 beautiful during the interview?

20 A Yes.

21 Q What was your response when he said that to you?

22 A I told him thank you.

23 Q Okay. And why did you say that?

24 A I didn't look at it too much then. He just -- I thought
25 it was just a compliment he was giving me. And actually I

1 was just there for a job. I didn't feel the need to say
2 anything else after that. I figured a simple thank you would
3 get my day going.

4 Q How did you feel internally when he said this to you?

5 A I raised my eyebrows a little bit. It was my first time
6 meeting him. But at the same time I needed a job. I didn't
7 put too much thought into it then.

8 Q When you say that you needed a job, when was the last
9 time you had had a job before working at Long Island Motors?

10 A In 2019, October 4th, I had a big car accident. It
11 caused me to also get a knee replacement. So I was out of
12 work from October all the way up to May. No one would hire
13 me in that type of condition.

14 Q Okay. So how many months was that approximately?

15 A Seven months.

16 Q Okay. And you mentioned that David made a comment about
17 your tattoos, is that correct?

18 A Yes.

19 Q And what did he say about your -- the tattoos on your
20 body?

21 A He actually asked if I had other more -- other tattoos
22 elsewhere. And I told him, yes, I did have other tattoos.
23 And he kind of wanted me to point them out. I brushed it
24 off. You know. I just said I had a couple.

25 Q And how did that make you feel when he asked to see your

1 other tattoos?

2 A Uncomfortable.

3 Q Okay.

4 A I started to feel uncomfortable.

5 Q And were you offered a job at Long Island Motors?

6 A Yes.

7 Q When was that job offer extended to you?

8 A The same day.

9 Q Okay. Was it extended to you during the interview,
10 later in the day, or something else?

11 A It was extended the same day, and I actually went in two
12 days after my interview.

13 Q Okay. And even though David had made these comments to
14 you during your interview, why did you accept the job there?

15 A I'd been looking for work for seven months. I'm a
16 single mom. I have a son I'd been taking care of by myself
17 with the help of my mom and I needed to provide. And it was
18 COVID. No one was really open but dealerships.

19 I actually live almost an hour and a half away from this
20 dealership and I just felt like I just needed to work so I
21 could take care of me and my son.

22 Q At the time you went on the interview at Long Island
23 Motors how old was your son?

24 A Seven.

25 Q And who provides for him financially? Or who at that

1 time provided for him financially?

2 A My mom.

3 Q Anybody else besides your mom?

4 A No.

5 Q Okay. And was your goal to provide for your son
6 financially?

7 A Yes.

8 Q Okay. And so did you accept the job offer to begin
9 working at Long Island Motors?

10 A Yes.

11 Q Okay. And what position were you hired for?

12 A Sales consultant.

13 Q Okay. And is that someone who does car sales?

14 A Yes.

15 Q Okay. And what were your -- supposed to be your duties
16 and responsibilities as a car sales associate?

17 A Greet new customers. Get online. Puts some ads on my
18 Facebook or Instagram or any type of social media if we have.
19 And I'll take leads that were given from our receptionist to
20 give a call out to any previous customers, past customers or
21 present customers.

22 Q And if a customer came to the lot looking for a car,
23 would it have been your duties and responsibilities to assist
24 that customer?

25 A Yes.

1 Q Okay. What was your compensation as a sales associate
2 at the time that Long Island Motors hired you?

3 A \$200 a week plus commission.

4 Q And what was the commission structure?

5 A It varied from used cars and new cars, but I can say
6 with me being there I was seeing if I averaged out 530 a
7 week.

8 Q Okay. Upon your hire were you given any company
9 policies or procedures?

10 A Yes. With our pay plan we got a packet. It talks about
11 being on time, compensation, sexual harassment.

12 Q And what was your understanding of the company's sexual
13 harassment policy?

14 A That's a criminal charge. It shouldn't be going on. It
15 shouldn't happen.

16 Q Was it prohibited by the sexual harassment -- prohibited
17 by the policy of Long Island Motors?

18 A Yes.

19 Q And at some point, did you begin actually working for
20 Long Island Motors?

21 A I did.

22 Q Okay. And at some point during your first week or two
23 of working at Long Island Motors, did you ever have occasion
24 to go into David Delvecchio's office for the first time?

25 A Yes.

1 Q Can you describe for the Court the first time you went
2 into David Delvecchio's office.

3 A My first week there, I was ready to work. It's my first
4 time ever selling cars ever so it was more of a challenge for
5 me. I was excited. David would see me and tell me I'm very
6 beautiful.

7 And one thing -- a couple of days in the week he
8 actually made a few comments saying that we could go on
9 dates. And he actually told me that he will -- if I gave him
10 a chance to go down on me it would be a good moment for me.

11 Q Okay. So I'd like to break that down a little further.
12 The comments he made about your appearance, I believe you
13 testified he said that you were beautiful?

14 A Yes.

15 Q How many times did he say that to you when you started
16 working there?

17 A I was there for a month. My first three -- three times
18 a week.

19 Q And what was your response to him when he would tell you
20 -- say that you were beautiful?

21 A When he was telling me this in the beginning, I would
22 smile. I would tell him thank you. I just -- whatever I had
23 to say to just get him away from me.

24 But then after a while, it started taking a toll on
25 me and I started being standoffish. I would ignore him. I

1 would act like I didn't hear anything about being beautiful,
2 because what was sitting now on my head is that him going
3 down on me and I started feeling very uncomfortable.

4 Q And when he said that he wanted to go down on you, what
5 did you understand that he was asking? What does that mean?

6 A He would perform oral sex on me.

7 Q And what was your response to him when he said this to
8 you?

9 A I acted like I didn't hear him, and I like smiled it
10 off, and I didn't have no comment to that.

11 Q Okay. How did that make you feel internally when he
12 said this to you?

13 A Disgusted.

14 Q Why?

15 A Because I came there to work. And it's just I felt like
16 my -- I was being violated as a woman.

17 Q Did it make you feel anything else?

18 A It made me feel very uncomfortable.

19 Q Okay. Are you --

20 A Sick.

21 Q Are you okay? Okay. Continue. Continue.

22 A I felt sick. I started feeling sick internally,
23 mentally.

24 Q And you mentioned that he had also asked you on -- to go
25 out on dates?

1 A Yes.

2 Q How many times did he do that in the time that you
3 worked there?

4 A At least three times a week enforcing a date, going out.
5 And he was aware that I did music. He was telling me that he
6 knew people in the music industry who he sold Cadillacs to,
7 and I just -- would just listen, but at the same time I would
8 not react to it.

9 Q Okay. And the first time he asked you on a date, what
10 was your response to that?

11 A I actually just told him I was just here to work. I
12 just want to work and take care of my son.

13 Q Did he stop asking you on dates or did that continue?

14 A That continued.

15 Q And that continued after you rejected his first offer,
16 his first advance?

17 A Yes.

18 Q Okay. And you mentioned that you eventually became
19 standoffish to him. I think that's the word you used. Is
20 that correct?

21 A Yes.

22 Q Okay. Were you initially standoffish or did you become
23 standoffish as this continued?

24 A I became standoffish as it continued.

25 Q How did your demeanor towards him change from how it was

1 before you became standoffish to when you became standoffish?

2 A My demeanor changed. I actually saw that I didn't want
3 to eat and I started not wanting to smile. I started
4 ignoring him, giving him short answers. I wouldn't answer
5 him sometimes. It started becoming very overwhelming for me.

6 Q And when he would say all of this to you, all meaning
7 when you testified that he would say that you were beautiful
8 and he would ask you out on dates even after you said no, and
9 that he even propositioned you for oral sex, can you describe
10 for the judge again how you -- or how you were feeling
11 internally? How this was affecting your mental and physical
12 health?

13 A I have bad asthma. My anxiety was going up. I'm sorry.

14 Q Take your time.

15 A I started getting emotional.

16 Q Okay. Do you want to continue?

17 A (No audible response.)

18 Q All right. So I want to direct your attention to the
19 computer in David's office.

20 A Okay.

21 Q At the start of your employment, did you observe the
22 computer in his office?

23 A Yes. He was talking to me and I was standing up and I
24 looked over and I noticed he had a camera that was facing my
25 desk, also the whole office space, and the back lot where we

1 -- the lot where we kept the cars at.

2 Q Okay. So you were able to see on his computer that he
3 had video surveillance of the dealership lot?

4 A Yes.

5 Q Okay. And how many cameras could you see on his
6 computer screen?

7 A I saw three.

8 Q Okay. And you said one was facing where?

9 A The parking lot where the cars were.

10 Q Okay. And that one for a second, was that one that was
11 facing the lot, was that focused on any particular employee?

12 A No.

13 Q Okay. And you mentioned that there was a second camera
14 that was I believe -- where was the second camera?

15 A It was actually for the office. So when you -- so what
16 I could see is that he could see the whole office of all the
17 sales employees.

18 Q Okay. And was that second camera, was that focused on
19 any one person in particular?

20 A No.

21 Q Okay. Was it zoomed in or was it zoomed out or
22 something else?

23 A Zoomed out.

24 Q And you said there was a third one, right?

25 A Yes.

1 Q And can you describe for the judge what you saw on that
2 one?

3 A That camera was actually facing my desk, zoomed in.

4 Q Okay. And could it see anything else besides your desk?

5 A No. Just my desk or anything behind me.

6 Q Okay. And after you noticed the cameras in his office,
7 what did you do?

8 A I actually ended up putting on a hat the next day.

9 Q And why did you do that?

10 A I was trying to just hide myself from the camera. I
11 didn't want to be seen. I didn't want to even feel that he
12 could see me. I just wanted to see if I could, you know,
13 feel comfortable and just work.

14 Q And how did you feel internally when you noticed that
15 there was a camera on your desk?

16 A I felt very uncomfortable. I was feeling sick. I was
17 confused. My anxiety was going a mile a minute.

18 Q Okay. And what happened next with respect to the hat
19 you were wearing?

20 A David must have saw that and had Gemma, the
21 receptionist, pull me outside to tell me I had to take my hat
22 off.

23 Q So Gemma was another employee at the dealership?

24 A Yes.

25 Q And she told you to take the hat off?

1 A Yes.

2 Q Okay. And did you do that?

3 A Yes.

4 Q Okay. And at some point, was your desk moved?

5 A Yes. I actually -- David told me to move my desk and
6 the desk was on the side of his office.

7 Q Okay. So where was your desk originally?

8 A My desk originally was where my mom would be.

9 Q Okay. Is that in the front of the building, the middle,
10 the back, somewhere else?

11 A The back.

12 Q Okay. And where was it moved to?

13 A In the front on the side of David's office.

14 Q Okay. Your original desk, how many work spaces were
15 between your desk and his desk originally?

16 A My original desk would be -- where the podium line
17 before you enter out, that would be my desk here. And
18 David's desk would be here in side the office.

19 Q And where did he move your desk to?

20 A To like the side of the wall here. And the desk came
21 out. So I'm facing how you're facing and David's facing this
22 way so he could see me directly out of the office.

23 Q Was your work station adjacent to his office or
24 something else?

25 A Yes. Adjacent to his office.

1 Q Okay. And when you're sitting at your work desk and
2 you're looking at his office, what can you see?

3 A I could see David.

4 Q And were you given a reason why your desk was moved?

5 A David told me he wanted to train me.

6 Q And who actually trained you?

7 A Joanne.

8 Q Okay. Did David train you?

9 A No.

10 Q How did it make you feel when David told you he was
11 moving -- he was moving your desk to train you?

12 A It made me feel -- I was upset. I was getting more
13 uncomfortable. It just felt like he just wanted to have me
14 there so he could just watch me.

15 Q How you doing?

16 A I'm doing fine. A lot of anxiety just start going,
17 going.

18 Q Do you want to take a break or do you want to continue?

19 A I want to continue.

20 Q All right. I want to direct your attention to around
21 your first or second week of employment. Did you ever assist
22 one of David's friends with a potential car sale?

23 A Yes.

24 Q Can you describe -- and how did you -- and how did you
25 know that it was one of David's friends?

1 A This particular day, David told me he had a friend of
2 the family who needed a car and he gave me that customer.
3 And his exact words were I have a friend of the family coming
4 here and don't fuck it up.

5 Q And did David say anything about this friend's physical
6 appearance?

7 A David told me she was a beautiful woman, to be African-
8 American and he thought she was hot.

9 Q And did you observe how David interacted with this
10 family friend and potential customer?

11 A Very flirtatious. You know. You know, just telling her
12 she was beautiful and she looks very nice in her attire which
13 she had on.

14 Q And did you mention this interaction that David had had
15 with this family friend and potential customer, did you
16 mention that to any other co-workers?

17 A I actually mentioned this to Joanne.

18 Q And who's Joanne?

19 A She was my finance manager.

20 Q Okay. And so Joanne was one of -- a supervisor to you?
21 She was above you?

22 A Yes. And we were two years apart. Yes.

23 Q Okay. And what was Joanne's response after you told her
24 this?

25 A Joanne laughed and said I knew David liked the black

1 girls.

2 Q I'm sorry? What was that?

3 A Joanne laughed and said I knew David like the black
4 girls.

5 Q Did Joanne, to your knowledge, tell David to stop
6 speaking about customers like that to you?

7 A No.

8 Q And what was your response after Joanne, the finance
9 supervisor, said this to you?

10 A I really didn't say much to Joanne about that. I
11 actually just told Joanne, you know, just keep an eye on him.

12 Q And what did you mean by that?

13 A She responded, you know, I got your back. But I just
14 told her, you know, David's been a little on me a bit, a
15 little more aggressive, and I need you to just keep your eye
16 out, and she said, okay.

17 Q She said she would?

18 A She said she would.

19 Q Okay. And after that, did you move your desk? After
20 your conversation with Joanne, did you move your desk again?

21 A Yes.

22 Q Where did you move it to?

23 A Back to the back.

24 Q Why did you do that?

25 A Evan came. An employee came. And I just actually took

1 the opportunity to get away from having David being able to
2 see me. And the guy thankfully just said, yes, he'll take
3 his desk back, and I just went to the back.

4 Q Okay. So I want to direct your attention to some of the
5 interactions you had with David on a daily basis. And we
6 just talked about a few of them a moment ago where you were
7 talking about some of the comments he made to you about your
8 appearance and your body and asking you out, where would he
9 say these things to you?

10 A In his office.

11 Q Okay. Was anyone else present?

12 A No.

13 Q Okay. And how was it that you would end up in his
14 office?

15 A When I started becoming standoffish, David had me doing
16 porter work. Porter work is we take the car and give it an
17 inspection, get wheels changed if needed, tuneups. And also
18 now I had to report to David because he's -- you know, I have
19 to give him back any type of receipts.

20 And it was actually I started feeling it was a way
21 for me to be more near him because I was a sales consultant,
22 but I ended up doing porter work.

23 Q And that was going to be my next question. What's the
24 difference between a porter and a sales associate?

25 A A sales associate, we get our leads. We put our ads up,

1 use our website on social media. Porter work does not reach
2 to any customers. You just take the cars to any place that
3 does tuneups, inspections, and they have to report to the
4 owner or the boss of the store because the boss needs to know
5 what's going on with the vehicle.

6 Q And that was going to be my next question. Who's the
7 supervisor for the porters?

8 A David.

9 Q Okay. And was the porter work, or the porter job, was
10 that within the duties and responsibilities of a sales
11 associate, the position you were hired for?

12 A No.

13 Q Okay. So the comments that you testified about that
14 David would make to you when you were in his office and he
15 was giving you porter duties, and the other things he said,
16 did you tell any other co-workers about what David was doing?

17 A Yes.

18 Q Who? Who was that?

19 A Gemma, the receptionist.

20 Q And can you tell the Court what happened when you spoke
21 to Gemma?

22 A I spoke to Gemma, just telling her I'm going to get a
23 new job. I'm not comfortable there. And David is asking to
24 go on dates with him. And Gemma told me that's just how he
25 is. He's nice that way. And I told her I'm not too happy

1 there. I don't know him as you guys know him, but I'm going
2 to look for another job. And Gemma told me just to hang in
3 there.

4 Q Okay. And did you do that? Did you go look for another
5 job?

6 A I did actually. I went to an interview that Monday.
7 And while I'm being interviewed, David calls to see that I'm
8 not at the job and asked me what was going on? And I told
9 him I was looking for another job and I wasn't happy.

10 Q Okay. And you mentioned that you were looking for
11 another job on Monday. Do you remember when that
12 conversation you had with Gemma when that was?

13 A Sure. Saturday.

14 Q Okay. And you mentioned that when you were going on
15 this other job interview David called you?

16 A Yes. David called me and asked me why I wasn't there?
17 I told him I wasn't happy. And he told -- he actually said
18 he was sorry that him and Joanne was mistreating me poorly
19 and that I am a great worker. Everything's going to change.
20 Come back and I would have no more problems or worries
21 working there.

22 Q That other job interview, did you still go on the
23 interview?

24 A I did complete my interview. The other job wasn't
25 hiring until a week or two, and I ended up going back to Long

1 Island Motors that same day.

2 Q Okay. So that's what I was going to ask you.

3 A Sorry.

4 Q Were you offered a job from this other interview the day
5 you went on the interview?

6 A They actually told me just give them a week or two, and
7 I went back to Long Island Motors.

8 Q Okay. And you said -- when did you go back to Long
9 Island Motors?

10 A The same day of the interview on Monday.

11 Q Okay. And when you went back to Long Island Motors
12 later that same day, did you speak with Gemma at all?

13 A I did speak to Gemma. She was asking me where was I?
14 And I told her I'm not happy here. David's just been coming
15 on to me and is making me feel uncomfortable. And shortly
16 after Gemma says in the whole office building why don't you
17 just tell everybody that -- what you're telling me that
18 David's trying to hit on you?

19 Q Okay. And you mentioned the office building. What was
20 the building? Was it a big office like this courthouse? Was
21 it something else?

22 A It's like a trailer, and it's just cut with -- David
23 only has one office, you have one in the back, and then all
24 the sales people have a little space of six desks there.

25 Q Okay. So it's a portable trailer next to the car lot?

1 A Yes.

2 Q Okay.

3 A Yes.

4 Q And you said that Gemma had told other workers what you
5 said to her about David?

6 A She actually said that out loud, and David heard as
7 well.

8 Q And what did David do after Gemma said this?

9 A David came out of his office. And when he came out, I
10 looked at Gemma and said why would you do that? And she kind
11 of just shrugged. And David said everybody just get back to
12 work.

13 Q And did you do that? Did you get back to work?

14 A Yes.

15 Q Okay. And after getting back to work, did you have an
16 interaction with David later?

17 A Yes.

18 Q Okay. And what were you doing immediately prior to
19 interacting with David again?

20 A I was putting my vehicle back. Certain cars on the lot
21 have to get put back at a certain parking spot and that's
22 what I was doing.

23 Q Okay. And then is -- was that the first thing you were
24 doing, the last thing you were doing, or something else for
25 your daily tasks?

1 A That would be the last thing I'd do.

2 Q Okay. And so after you parked the -- put the cars back,
3 your plan was to go home or something else?

4 A Yes. The day was over. I was going home.

5 Q Okay. And did you walk back into the office at some
6 point?

7 A So I walked back inside the trailer. And as I was
8 passing David's office, he called me inside his office.

9 Q Was anybody else in the trailer, in the office?

10 A No.

11 Q And what happened next after David called you into his
12 office?

13 A He called me into his office. I was standing there.
14 And he actually asked me so what is this you're telling
15 everybody I like you? And I told him, yes. But then he goes
16 and says, well, you don't like me? And I told him, yes, I
17 think you're a nice person. And he told me to have a seat.

18 Q And what else did you say to David?

19 A I told David, you know, I'm just here just to work and
20 to just take care of my kid. But as I was saying that, David
21 ends up saying why don't I show him how much I like him.

22 Q And when David was saying this, could you observe how
23 his body, or could you -- what could you observe about him?

24 A He was across from me. I noticed he was leaning back
25 and his arms were -- his hands and wrists were fumbling in

1 the middle of his body, and I was sitting across from him.

2 Q And at that moment, could you see what he was doing
3 behind the desk?

4 A No.

5 Q Okay. At some point, did that change?

6 A Yes.

7 Q Okay. What happened next?

8 A David said why don't I come over there and show him how
9 much I like him. I actually got up to come over there. But
10 when I got there, it was to tell him not to have to go down
11 this -- you know, this shouldn't be happening -- because
12 David had his penis out already.

13 Q And you could see that?

14 A I could see that, and his genitals.

15 Q And what was he doing?

16 A Rubbing on himself, jerking it back and forth. And I
17 put my hand out towards him like stop, please. You know,
18 this does not have to happen. And he puts my hand on his
19 penis. Right then and there I closed my eyes and said this
20 doesn't have to happen. I'm not going to have sex with you.
21 He put his hands in my rectum. I'm sorry.

22 Q You're okay. I was just going to ask you a follow-up
23 question. You said that you initially gestured him.

24 A Yes.

25 Q Can you demonstrate how when you first saw his exposed

1 genitals?

2 A So when I saw them I was telling him how this doesn't
3 have to happen. I was just telling him like -- give him --
4 like put it away gesture. But while I'm doing this he
5 grabbed my arm and placed it on top of his hand.

6 Q And what did he do with your arm?

7 A He grabbed my arm and put my hand on top like with his
8 hand, and that mean like, you know, rubbing. And at the same
9 time that that was happening, I'm telling him this doesn't
10 have to happen. And I actually told him I was on my period.

11 Q Why did you tell him that?

12 A Because I was not trying to have intercourse and I
13 wasn't on my period.

14 Q So you were not on your period?

15 A No.

16 Q Okay. And so you're articulating to the Court that your
17 hands are extended as if to stop and he grabs your hand?

18 A Yes.

19 Q And he's put it on his genitals?

20 A Yes.

21 Q Okay.

22 A His penis.

23 Q On his penis?

24 A Yes.

25 Q And did he take his hand off of your hand or not?

1 A No. So he kept my hand on his penis. And he put his
2 hand inside my rectum. And within seconds I had fluids on my
3 hand.

4 Q You mentioned that he put his other hand inside your
5 rectum. How did that happen?

6 A I was standing. So my hand was placed on his penis and
7 I'm standing up. And I had on spandex. And so while my
8 hand's here, he just put his hand inside my rectum through my
9 spandex.

10 Q In that moment, how were you feeling internally,
11 mentally and psychologically?

12 A I felt -- I felt scared. I felt sad. I felt
13 manipulated. I felt humiliated. I felt very disgusted. I
14 was actually undergoing a panic attack. I was -- I was very
15 disturbed.

16 Q You mentioned that you eventually, or after a few
17 seconds, felt some fluid on your hands. What was that?

18 A His sperm.

19 Q And what did you do after that?

20 A I ran to the back to the bathroom and I vomited.

21 Q Why did you vomit?

22 A I was sick. My heart was pumping. I was getting
23 nauseous. I felt humiliated. I felt very disgusted. I felt
24 depressed. I felt mentally damaged internally, physically.
25 I felt violated just as a woman.

1 Q Why? Why did you feel that way?

2 A Sorry. Because I'm a good person. I just wanted to
3 work. And I'm a good person. And I started questioning why
4 this is happening. I just wanted to work. And I started to
5 feel like I failed as a person, as a female, because I just
6 wanted to work. I'd been out of work for so long.

7 And I felt like everything I was trying to do wasn't
8 working in my favor. I felt hopeless. And I really felt
9 like I failed as a mom and as a daughter to my mom because I
10 had to find a way to explain everything. I felt -- I really
11 did feel humiliated, very disgusted. Sorry. Sorry.

12 Q Don't apologize. It's okay. Do you want to continue?

13 A (No audible response.)

14 Q You mentioned that he had put or he had digitally
15 penetrated you in your anus. Did you give him permission to
16 do that?

17 A No. Can I just say, you know, David is six-four, three-
18 something pounds, almost four. I lost so much weight then
19 being there. I'm now 175. I was actually 140.

20 Q You mentioned you lost weight. How? How did that
21 happen?

22 A I wasn't eating. I was -- I felt I was stressed. I was
23 depressed. You know, I just -- all I kept saying is I just
24 wanted to take care of my son.

25 Q At what point, did you stop eating?

1 A My second week there at the job.

2 Q And --

3 A And --

4 Q Go ahead. I'm sorry.

5 A And it just continued. I didn't want to eat there. I
6 didn't want to be comfortable there. I never had much there
7 after my first week there. I wouldn't eat.

8 Q And you mentioned that you went to the bathroom to
9 vomit, to throw up?

10 A Yes.

11 Q What happened next after that?

12 A I grabbed my stuff. I ran out the bathroom. And I just
13 grabbed my stuff and just ran out of the office, the
14 building, went to my car, took my asthma pump, breathed a
15 bit. I sat there for a few minutes just getting myself
16 together, and I drove home.

17 Q How were you feeling on the drive home?

18 A I felt damaged, (indiscernible), confused, disgusted,
19 humiliated. I felt I was manipulated, and I really felt a
20 failure as a person.

21 Q Why did you feel like a failure?

22 A Because I came to do one thing and I didn't expect this
23 to happen to me. You know. I didn't -- I was confused and
24 felt like I didn't put myself out there -- I put myself out
25 there to work and to provide and take care of my kid. And

1 that wasn't happening and I felt like I had the
2 responsibility of that.

3 Q When you got home, what did you do?

4 A I told my mom. I told my mom. On the way there, it was
5 hard like driving because my father just got home from prison
6 and I wasn't sure if I even, you know, wanted to tell my mom,
7 but I told my mom.

8 Q Did you go back to work the next day?

9 A My mom came with me to the job.

10 Q And why did she do that?

11 A She came with me to get my stuff, and she just wanted to
12 see who David was, and we were coming to make a police
13 report.

14 Q Okay. And were you still employed by Long Island Motors
15 at that point?

16 A Yes.

17 Q Okay. So you went to work with your mom?

18 A I actually went with my mom to make a report, yes.

19 Q And did you go to the job or did you go to the police
20 precinct, or something else?

21 A We went to the job first so I could get the -- so I can
22 get the rest of my stuff.

23 But, I'm sorry, I'm skipping something. Because I
24 actually went to work the next day and me and Joanne had a
25 conversation. And Joanne -- I told Joanne, you know, I

1 wasn't happy here. And I said, Joanne, you know, David tells
2 me things about you, of you being here, and you have reviews,
3 you know, so he's watching, you know. Just make sure, you
4 know, all the screaming and yelling is not needed. Joanne
5 told David what I said, and David said -- me and Joanne was
6 outside and within minutes David said, Coress, bring your ass
7 in here. You're fired.

8 Q All right. Let's break that down a little bit further
9 because I saw that you had mentioned that you had skipped
10 ahead.

11 A I did.

12 Q So the next day you went back to work and you had a
13 conversation with Joanne?

14 A Yes.

15 Q And it was a -- did you discuss what had happened the
16 night before?

17 A No.

18 Q Okay. What did you tell her about?

19 A I just told Joanne that David was telling me that she
20 was loud and she had bad reviews, and he didn't really want
21 her working there. But I told her just to kind of like watch
22 her back.

23 Q And did you mention anything about your work experience
24 with David in that conversation?

25 A I did when -- when Joanne -- when I told Joanne this,

1 Joanne ended up telling David and David told me to bring my
2 ass inside and that I was being fired and I was causing
3 problems.

4 Q Okay. So let's talk about that. So David -- where was
5 he when you were talking to Joanne? Was he inside? Was he
6 outside?

7 A Inside.

8 Q Okay. And he came outside?

9 A No. He actually yelled for me to come inside.

10 Q From his office?

11 A Yes.

12 Q Okay. And you did that?

13 A Yes.

14 Q And you went into his office?

15 A Yes.

16 Q Okay. Was anyone else in his office?

17 A Joanne.

18 Q Joanne came inside with you?

19 A Joanne was actually in the office first.

20 Q Okay. So how soon after the conversation with Joanne
21 ended were you called into his office?

22 A Two, three minutes.

23 Q Okay. So you went into his office. And Joanne was in
24 there too?

25 A Yes.

1 Q Tell the Court what happened when you went into David's
2 office and Joanne was in there.

3 A When I went inside there, David said my ass was fired.
4 I'm causing too many problems here. And I just shook my
5 head. And he said you will never get a job again. And I'll
6 make sure you never get a god-damned job ever again. And I
7 left. Joanne followed me. I left all my stuff there. I had
8 my phone already.

9 Joanne followed me out the doors and she was telling me
10 she was sorry. I told her this is bigger than this. David
11 touched me. And Joanne said I knew something happened. That
12 mother fucker. Where did he touch you? I said he had me
13 behind the desk. She said, yeah. I guess he would because
14 there's no cameras that's going towards his desk.

15 Q Anything else discussed with Joanne after you were
16 terminated?

17 A Joanne told me this job is not for me. And she was
18 sorry that this happened. And I told her don't be. And I
19 walked away from Joanne.

20 Q How did you feel after you were fired like that?

21 A I actually had to bring back my asthma pump. I started
22 feeling sick again, anxiety, confused. I was depressed. At
23 this time, I was shaking. I was very shaky.

24 Q Why did you need your asthma pump?

25 A Anxiety was starting to kick in and I wasn't breathing

1 how I was supposed to breathe. I started like gasping.

2 Q Okay. Is that the only time you used your asthma pump
3 at work?

4 A I used it when -- with the situation with him the day
5 before. Those were the only times I used my asthma pump.
6 Yes, sir.

7 Q Okay. And so you used it the day you were fired and the
8 day he assaulted you?

9 A Yes.

10 Q And that was for your anxiety?

11 A Yes.

12 Q Okay. And what did you do next after he terminated you?

13 A I went home. I told my mom.

14 Q What did you tell your mom?

15 A I told my mom I was embarrassed. I yelled I'm
16 embarrassed. I cried.

17 Q Do you want to continue, Ms. Doe?

18 A I'm sorry. See, my mom --

19 Q Yeah. Go ahead.

20 A -- she worked for social services, so I had to tell her
21 cases she's been working on has happened to me. And I just
22 (indiscernible). I told her I was sorry. And I just found
23 myself crying. I just felt I was very depressed. I ended up
24 cutting all my hair off.

25 Q What do you mean by that? How long was your hair

1 before?

2 A To the middle of my -- to the middle of my back, near my
3 (indiscernible).

4 Q You mentioned you cut your hair. How much hair did you
5 cut? How many inches?

6 A About (indiscernible). Oh, I cut off 18 inches. Sorry.
7 Sixteen to 18 inches off.

8 Q Okay. So your hair was down the middle of your back and
9 you cut it to very short, almost --

10 A I had -- yes. I couldn't even put my hair in a pony
11 tail.

12 Q Okay. And you're indicating. How short did you cut
13 your hair?

14 A The back was already close to the scalp. I probably had
15 like this much hair, maybe three inches.

16 Q And you're gesturing a few inches between your index and
17 thumb, correct?

18 A Yes.

19 Q Okay. Why did you cut your hair?

20 A I felt like I was -- when I cut it, it was something I
21 thought to do. This wasn't like a one cut thing. I actually
22 was cutting my hair all the way to August, and I was left
23 with that amount of hair, but I felt like I was starting
24 over. Reborn. Just feeling like I was starting over a new
25 journey. Because when I ended up stopping, that's when I

1 found a job.

2 Q Stopping what?

3 A Cutting my hair.

4 Q And that's when you found your next job?

5 A That's when I stopped.

6 Q Before we get there, after your termination, you
7 testified earlier that you told your mom about it. What did
8 you and your mom do next after you told her what happened?

9 A We filed a police report. We actually -- sorry. We
10 went to the job the next day and my mom came with me inside.
11 I went to the back. No one said anything to me. I got my
12 stuff.

13 But my mom was staring at David from the outside and
14 she was just standing there. And I'm like, come on, mom,
15 come on, mom. She was still standing there. And I was like
16 come on, mom. And she mumbled something under her breath and
17 we walked out and went straight to the precinct, the nearest
18 one we could find by the dealership.

19 Q What was your mom's reaction when you first told her
20 what had happened at Long Island Motors?

21 A My mom cried. She was more feeling like -- she felt for
22 me. She was very sad for me. She started saying this is why
23 you haven't been eating. She started questioning me of
24 things that she was noticing and she wasn't happy. She said,
25 you know, something has to be done. You're my daughter. You

1 know. And she was very sad. Actually she was crying.

2 Q Why did you go to the police precinct?

3 A I felt that was -- that would be the smart thing to do
4 after talking with my mom because I felt no one deserved
5 anything like this.

6 Q What was the purpose? What was the purpose of you going
7 there to the precinct?

8 A The purpose is to -- so that David could be stopped.
9 Just that, you know, I just -- again, I just felt it was the
10 right thing to do.

11 Q And what did you tell the police officers or detective
12 that you met with?

13 A I told them I got hired there. And I was sexually
14 assaulted. And after four or five hours of interrogation,
15 the only thing they could ask me was how old was I?

16 Q What else did the officers say?

17 A Like if I knew better. But he told me that he was going
18 to do an investigation. But the only thing he came up with a
19 few days' later was how old was I, and he needed me to come
20 back, like if I knew better.

21 Q Did you receive any paperwork? Did they give you a copy
22 of the police report or any other paperwork?

23 A They told me they couldn't find anything on David at the
24 time. They actually needed me to come back there to sit with
25 them again. But I didn't feel comfortable anymore because

1 the first thing he asked me was how old was I? Like if I
2 knew better? So I felt like he wasn't someone to confide in
3 or help me.

4 Q And do you know what the result of the police
5 investigation was?

6 A There was no result. I was calling to see if anything
7 changed or -- no. They told me they couldn't, you know, find
8 anything on him. And I had to come back there and tell my
9 story again.

10 Q Okay. So, Ms. Doe, two more topics that I want to cover
11 and then we're almost finished. The first I want to talk
12 about are your attempts to find work after you were
13 terminated.

14 How long were you without a job before -- withdrawn. How
15 long did it take you to find another job?

16 A I got a job sometime in the summer, in August.

17 Q Okay. And do you remember what job that was?

18 A Ashley Furniture.

19 Q Okay. And how long did you work at Ashley Furniture?

20 A A month.

21 Q Okay. And how long between Ashley Furniture did it take
22 you to find another job?

23 A Before Ashley Furniture, I went into -- my job was -- I
24 wanted to do cars. I wanted to work -- I wanted to change my
25 career. I already had sold furniture in the past, but I felt

1 like that would be something I could go back to so I wouldn't
2 have to worry or go do anything that I (indiscernible).

3 And I actually built myself up to say I could do this.
4 And I'm happy to say I've been doing it ever since.

5 Q Let's tell the Court a little bit about that, about your
6 experience getting back into selling cars. Tell the Court
7 what places you worked, when you worked there --

8 A I actually ended up working for Hibachi Kolache (ph). I
9 think this was before Ashley Furniture. It was a car
10 dealership so I felt safe there, but it wasn't what I wanted
11 to do. And then I started working for Ashley Furniture. I
12 already had sold furniture in the past. It wasn't what I
13 wanted to do.

14 Then I started working for a car dealership. When I was
15 at Ashley Furniture, I said I could do this. This is what
16 you want to do. I did it.

17 Q Did you have any pleasant experiences working at any of
18 the car -- another car dealership?

19 A Yes. When I worked at Bical Chevy, it was okay. But if
20 I felt anyone there was just a little too friendly, I would
21 leave. And I did.

22 And I worked at Toyota. And when I got hired
23 there, I told my boss there at the time, Shamika, that this
24 is actually kind of hard for me, but this is my passion. And
25 she didn't understand why.

1 And I told her about a situation I had at Long
2 Island Motors and she told me I wouldn't have to worry about
3 anything like that here, and everybody here's professional.
4 And I was happy there. I actually became the top saleswoman
5 there. So I just knew then it wasn't me ever. At one point,
6 I thought it was.

7 Q How long did you work at Advantage Toyota?

8 A Almost a year. Then I started learning how to do my own
9 bills. And I wanted to do more. I wanted to be a manager.
10 And today I do my own bills.

11 Q Did your manager at Advantage Toyota give you positive
12 performance feedback?

13 A Yes.

14 Q How did that make you feel to get that positive feedback
15 from that dealership?

16 A It made me feel great. Because for a long time, all I
17 could hear is Joanne telling me this business wasn't for me.
18 And she's been in the business longer than I have.

19 I thought maybe she saw something, and I started really
20 believing this isn't for me. But all in all, this business
21 is me, for me. It's just who the people you have around, the
22 environment.

23 Q You mentioned Bical Chevy, right?

24 A Yes.

25 Q Where is that located?

1 A That's in Valley Stream, Long Island.

2 Q Okay. And you mentioned -- did you mention that
3 something happened there? Or I believe you said that you
4 felt uncomfortable by something?

5 A Yes.

6 Q Okay. And so what happened with that? Were you
7 triggered by something? What happened?

8 A I was triggered. The manager there just was a little
9 friendly. And, you know, he'll tell me beautiful too. And I
10 just left.

11 Q Did that experience at Bical Chevy remind you of what
12 happened at Long Island Motors?

13 A Yes.

14 Q How did it do that?

15 A It just made me think of David, how it started, and it
16 made me say to myself this is how this started before. I'm
17 not saying that it's going to happen, but I'm not going to
18 take a chance to even let it or even find out.

19 Q And that's why you left Bical Chevy?

20 A That's why I left Bical Chevy.

21 Q Okay. And did you go from Bical to Advantage Toyota?

22 A Yes.

23 Q Okay. And I believe you said a minute ago you left,
24 you've since left, Advantage Toyota?

25 A I left Advantage Toyota. I started working at something

1 called Seamless Auto where I could be more hands-on with my
2 own deal.

3 Q Is that where you work currently?

4 A No. So currently I work for Great Neck Motor Sports.

5 Q Seamless Auto, how long did you work there?

6 A A month.

7 Q And you left there to go to Great Neck?

8 A Yes.

9 Q Okay. Why did you leave Seamless?

10 A I didn't like the money, how the money was going there.
11 It was a family-owned business. They were able to do a lot
12 of things that I wasn't aware of. It was my first time
13 working for that type of business.

14 Q Sure.

15 A Toyota's a franchise.

16 Q Were you terminated by Seamless or did you leave because
17 you found another job at Great Neck?

18 A Yes. I just left because I found another job at Great
19 Neck.

20 MR. FRIEDMAN: So, Your Honor, if I may, I have the
21 W-2s here which will assist in calculating what the back pay
22 should be.

23 THE COURT: Okay.

24 MR. FRIEDMAN: Rather than go through each one, I
25 believe you said at the beginning that we could just move to

1 admit them all.

2 THE COURT: That's fine.

3 MR. FRIEDMAN: And then it might also be helpful
4 like if Your Honor would like that -- and obviously I'll
5 defer to you -- to like submit a letter to do the time line
6 -- I mean, go through the time line so you can see what
7 periods where she wasn't working to see when the back pay is
8 and isn't in play. Would that --

9 THE COURT: That's fine. If you want to submit a
10 letter after the hearing with the calculations and the dates
11 and everything, that might be easier.

12 MR. FRIEDMAN: Okay. I can have that filed within
13 one week if that's okay with the Court?

14 THE COURT: That's fine.

15 MR. FRIEDMAN: Great.

16 BY MR. FRIEDMAN:

17 Q Okay. So, Ms. Doe, I want to finish the examination now
18 and I want to -- focusing on -- and we talked about it a lot,
19 but a little bit more about your mental state following the
20 termination.

21 Now, you described a lot of symptoms, a lot of things
22 that you were experiencing at different points.

23 After you were terminated from Long Island Motors, can
24 you tell the Court how you were feeling mentally and
25 emotionally?

1 A I felt like I was going through some type of trauma.
2 And I say this because -- this doesn't have nothing to do,
3 but in 2011 my partner was murdered. That same feeling I got
4 when I wasn't working and I'm looking at my son. I'm
5 questioning how I'm going to provide.

6 I was not healthy at all. I wasn't eating. I didn't
7 care to eat. I was very depressed. I was still disgusted,
8 cutting off my hair, you know, just looking for a new start
9 mentally.

10 Q On a scale of one to ten, ten being the most severe and
11 one being the least severe, how severe would you characterize
12 the symptoms you were experiencing?

13 A Ten.

14 Q And why? What about -- what was a ten?

15 A It's just I don't think anyone deserves anything like
16 this. I came there to work for someone. And knowing that I
17 didn't get the opportunity I just felt like I was -- I felt
18 helpless. I felt ashamed. I started questioning myself.

19 I felt like I started being destructive to myself. And,
20 you know, I was very unhappy. But what kept me going is my
21 kid, my son.

22 Q I'm sorry. I didn't mean to cut you off. Were you
23 finished?

24 A I'm finished.

25 Q Okay. How long did the symptoms stay at a ten?

1 A I'm going to honest, every day I go to a dealership and
2 I'm always reminded. Even in a great atmosphere. Because my
3 first job of trying to start a new career was at Long Island
4 Motors and it haunts me now, you know. It's still a ten.

5 Q How has the sexual assault and termination from Long
6 Island Motors affected your daily life? Or what's the impact
7 it has had on your daily life since the assault, since your
8 termination?

9 A I used to do -- I do music. I will perform. I didn't
10 go out. I didn't have a social life. I felt very ashamed.
11 I felt embarrassed. I felt disgusted. It was like a battle
12 with me mentally a lot.

13 And I thought if I like changed my appearance -- so I
14 didn't wear makeup anymore, I stopped looking -- I mean, I
15 call it casual -- I told my mom, you know, maybe if I stop
16 looking attractive, I guess, maybe people will leave me
17 alone. I changed my whole look and cut off my hair. Not to
18 use the word ugly, but I did my best to not look like
19 anything.

20 Q And if you could describe for the Court your personality
21 and who you were before the sexual assault and termination
22 and after. Can you tell the Court how you were changed? How
23 this changed you?

24 A I have a southern background. I was always happy. I'm
25 still, you know, working on it. Polite. Anything you need,

1 I'll do. You didn't have to like me for it to be done. I'll
2 just do it.

3 I always felt like -- not to get religious or anything,
4 but I felt like, you know, if God sees that I'm doing good
5 I'll get good. And I was a very happy person. I had no
6 worries about sexual stuff. You know, I was able to talk to
7 guys and be comfortable.

8 And after this situation -- because it wasn't just
9 the job anymore -- now I have an outside life. I'm not
10 happy. I'm not as jolly. I'm not doing my music. I'm not
11 writing any music. I started losing myself. Before this
12 job, I had myself. I knew what I had to do even with my knee
13 injury. And I lost my -- I lost myself. I lost myself. I
14 wasn't -- I wasn't happy at all. Still very much disgusted.
15 I was devastated. I wasn't me.

16 Before, I loved my hair. My hair was everything,
17 you know. And I cut it off and I started just hiding under
18 wigs and stuff. So I had no hair. And I didn't want to be
19 liked. I didn't want to bring any attention.

20 Before, I was full of attention. I have tattoos
21 and stuff. I started looking at my tattoos like you're
22 bringing attention. Cover yourself up. Don't wear makeup.
23 You know, cut your hair off. Dress tomboyish. Don't be
24 Coress. Don't be, you know, popular. Don't -- you know,
25 just I closed myself in.

1 I didn't want nobody to give me any type of looks
2 or attention because that situation, it destroyed my mental.
3 I didn't know if compliments were compliments anymore or if
4 someone was coming from --

5 (Pause.)

6 And I'm getting upset because (indiscernible)
7 And I know I'm, you know, the way I carry myself -- sorry --
8 I'm leaving jobs. (Indiscernible) just so I could feel safe
9 because I didn't ask for any of this stuff. I just wanted to
10 work.

11 And I'm just so thankful that I have my son because
12 my son pulled me through. That's the God honest truth. My
13 son -- every day my son no matter how helpless or hopeless
14 I'm okay.

15 Q Thank you. Thank you, Ms. Doe.

16 Is there anything else you want the Court to know about
17 what happened to you at Long Island Motors and how it's
18 affecting you today?

19 A You know, I just wish the detective would have just took
20 me more serious. I just wish David would have left me alone.
21 And actually I wish I never even went there.

22 You know, every day I'm at a dealership this is
23 what I want to do. And every day I'm reminded of this
24 situation.

25 And, you know, it tore me down mentally,

1 physically, just me as a person, as an individual. And day
2 by day I'm working on my self and building it up. And, you
3 know, I decided to grow my hair back. My hair is growing
4 back. I started wearing some makeup and stuff, and just I'm
5 just taking it day by day.

6 MR. FRIEDMAN: Okay. I have nothing further, Your
7 Honor. If you have some questions, we're here to answer them
8 if anything is needed from us.

9 THE COURT: I don't have anything else. Thank you.
10 You can step down.

11 THE WITNESS: Thank you.

12 THE COURT: You can go back.

13 THE WITNESS: Okay.

14 THE COURT: You can call your next witness.

15 MR. FRIEDMAN: Yes, Your Honor. I'd like to call
16 plaintiff's mom, Ms. Doe.

17 JANE DOE'S MOTHER, SWORN

18 DIRECT EXAMINATION

19 BY MR. FRIEDMAN:

20 Q Good afternoon, Ms. Doe.

21 A (No audible response.)

22 Q So, you know, you just heard the testimony from your
23 daughter, and you lived through part of it. I want to ask
24 you first can you describe how your daughter was before all
25 this happened that she just testified about and who she is

1 today?

2 A Okay. Before this incident took place, Coress was a
3 very happy person. Everyone loves Coress. When we have the
4 family functions, she's the one that keeps everyone smiling.
5 And, you know, everyone takes to her.

6 She has a beautiful personality and she's a very
7 happy young lady. And I think that's really like -- people
8 underestimate her, you know, because she's very kind.

9 So before the incident she always was, you know, an
10 upbeat person, very upbeat, very caring. Just motivated.
11 Let's do this. Let's go. She loved going shopping to the
12 mall. Always wanted to go to the mall. Loved spending
13 money. She loved spending money. She loved good things.
14 She loved the expensive stuff, where, you know, I look for
15 the sales. Coress just enjoys shopping.

16 She always wanted to go out. Her favorite
17 restaurant is Red Lobster. I never had to spend a lot of
18 money on her celebrations. When she was graduated from
19 school, I didn't have to give her a party. Oh, mom, I don't
20 want no party. She always wanted Red Lobster. That just was
21 her favorite restaurant.

22 And since this incident all that's taken away. I
23 can't even tell you the last time we actually went to the
24 mall. Red Lobster, we don't go. She does this
25 (indiscernible) like we don't go no more. There's no more

1 family event. We don't have the -- it's just her, her son
2 and myself. And we have game night that she doesn't take
3 part in anymore. And this is the things she was doing
4 before.

5 It's like she just shut down. She shut down a lot
6 in almost like a year. And I still see -- you know, I'm very
7 supportive. I see a lot -- I see the big difference in her.
8 The worst part is Coress always was beautiful and the family
9 loved her.

10 Coress, she does her own makeup. She does her own
11 hair. Coress has pretty hair. A lot of people think that
12 she's Indian. There may be some history, but her hair is
13 totally different from ours and she has beautiful hair.
14 Her hair was just as long as her back.

15 And I noticed a change. Coress started cutting her
16 hair. Coress didn't care about her appearance. And I was
17 aware that Coress was coping with something when Coress was
18 not caring about her appearance. She wanted to feel ugly.
19 She really wanted to feel ugly.

20 And I would tell her you're beautiful. Why do you
21 want to feel ugly? Why wouldn't you go outside? Coress used
22 to wear these scarves that was -- honestly, it's just like
23 she just -- she used to go out to the stores and stuff like.

24 If you didn't know her, like she was just this
25 homeless young lady. And I was like what's wrong with you?

1 You know. So she's, ma, I mean, I'm drawing too much
2 attention to myself. Maybe these men will leave me alone if
3 I felt ugly. I said you're not ugly. I said you're letting
4 them win. That's what you're doing. You're letting them
5 win.

6 She didn't understand for a while, but she's
7 starting to understand now. But for a long time, Coress was
8 not understanding she was allowing the individuals that, this
9 man, David, had done to her. He was winning.

10 And I explained to her. No, you continue to be
11 yourself. Because Coress is very strong. She has been very
12 strong in her life. She has been strong in situations she
13 went through. I'm very proud of her that she was able to
14 stand up here and explain her story. It takes a lot so I
15 know she's strong.

16 And that's what I need her to understand, that
17 she's strong and don't let nobody -- don't let no situation
18 or anything to break you or make you fail. This is not your
19 fault.

20 You wanted to work. You wanted to provide. Coress
21 has said it all standing here. She just wanted to provide
22 for her son. And people prey on that.

23 They look at it as desperate, but not realizing she
24 just wants to work. She wanted to make her son proud. She
25 wanted to make me proud. She don't want to lean on her mom.

1 But it's okay. I help her. She not have to work, but she --
2 this is what she wants to do.

3 It's been taking a lot out of her, but I can see
4 that my daughter's coming back. She's really coming back.
5 And I'm not going to talk -- I'm not going to discourage her.

6 If this is what you want to do, sell cars, that's
7 what you do, sell cars. Because she's a -- she's a very
8 excellent salesperson. And don't let anything take that away
9 from you.

10 Q Thank you, Ms. Doe. Can I ask you a couple of quick --
11 or I'd like to ask you just a couple of quick follow-up
12 questions about some of the things you said. You mentioned
13 that you noticed she was coping with something. When did you
14 notice that?

15 A I noticed Coress, she said -- Coress didn't tell me when
16 that -- when she came in right -- when she came in the house
17 the day of that situation, I knew something. Coress had a
18 glare in her eyes.

19 I asked her what was wrong, and she told -- that's
20 when she -- I asked her something's not right with you,
21 what's wrong, and she broke down and she told me. That's
22 when I realized she was coping with an issue when she came
23 home from work that day.

24 Q What did she tell you?

25 A She told me exactly what she stood up here and said to

1 you. She said that she was violated. And mom, mom, it's not
2 my fault. And I said it's not your fault. I said what
3 happened? She kept crying, mom, mom, mom. My boss -- my
4 boss, he made me touch his penis. He made me touch his
5 penis. I was like how did he make you touch his penis?

6 She said, mom, he told me to come over to his
7 office. And I came over to his office. And he told me to
8 come over here. Then he grabbed my hand and he put -- he put
9 it on his penis and he put his hand on my behind and -- and I
10 was like, Coress, what did you do? She said I was in shock.
11 I was froze. I couldn't move. I didn't know what to do.

12 So I was like so how you feeling? It was late. I
13 said Coress, the first thing we're going to do, we're going
14 to go -- we're going to go to the police station and we're
15 going to file a police report.

16 Q Okay. Can you describe your daughter's demeanor when
17 you were having this conversation with her the night of the
18 incident?

19 A It was -- it was -- she didn't even look like herself.
20 She had such a fright -- she was scared. She was afraid.
21 She was angry.

22 And then she was kind of like blaming herself. It was
23 like -- and I just explained to her this is not your fault.
24 And she constantly cried. She was very angry. Very upset.

25 She really couldn't get the words out. So it was

1 like an all-nighter. And I haven't slept in my daughter's
2 bed in years. I slept with her. I hold her. We talked and
3 we talked and I got a better understanding of, you know, what
4 happened.

5 And just like, you know, Coress just wanted to
6 work. But listening to the story, I don't know. It was
7 about he preyed on her and she didn't understand it. And now
8 she's understanding and this is why she's in the situation
9 she's in now.

10 This should never happen again because she sees the
11 signs. She sees the signs. And so as soon as someone want
12 her -- she's at work and, you know, you're supposed to go to
13 work, no one should come to you telling you how pretty you
14 are. You're not there to be pretty. You're there to do a
15 job. And she understands that.

16 Q Thank you for that. You mentioned that you slept in her
17 bed and had an all nighter.

18 A Yes.

19 Q Was that because she couldn't sleep?

20 A She couldn't sleep at all. And she wasn't sleeping in a
21 while. She lost so much weight. She wasn't eating. I had
22 to buy her Nutriment, you know, because Coress always -- she
23 was always -- not a heavy young lady, but she always had a
24 nice size.

25 But at this time, she just looked like, you know,

1 someone that was just out there. Zoned out. She was just so
2 small. And I was so afraid for her.

3 But, you know, she don't eat. I encouraged her to
4 drink the Nutriment. You know, I stayed with her. I
5 supported her and I support her to this day.

6 And Coress is 36 and she's still with me because I
7 want to make sure that she gets through this because she's
8 reminded of this. And it bothers her. You know, she -- what
9 I appreciate is she talks to me so I can help her. As long
10 as she's talking, I know that she'll be okay.

11 Q And, Ms. Doe, you mentioned Nutriment. What is that and
12 why did you give it to your daughter?

13 A I gave her Nutriment because she wasn't eating. And I
14 know that's like a drink that will help you, you know, keep
15 your vitamins in your body. You'll get your nutrients Just
16 like the name, you'll get your nutrients that your body would
17 need.

18 So that's why I always made sure that she would
19 drink that because she didn't have an appetite. She was very
20 -- she was getting very fragile and she was beginning to look
21 very sick and so, you know, so I was just making sure.

22 She had like a lot of stress and she was like
23 isolated. As I mentioned, you know, she wasn't doing -- we
24 played a lot of bowling, me and her son. We do the little
25 Wii. And she wasn't taking part in it. But, you know,

1 lately she's been coming downstairs with us and, you know,
2 she's getting back together.

3 And she even said when we leave here, mom -- this
4 is the first time since the incident she asked me could we go
5 shopping? So I was like, okay. So I was like, okay, so I
6 feel like she's coming along.

7 Q And, Ms. Doe, a couple more. You mentioned -- I think
8 you said Wii bowling.

9 A Yeah.

10 Q Is that like Nintendo Wii?

11 A It's an entertainment center because we have -- you
12 know, we do our family thing. That's one thing. Because
13 it's just like really -- you know, I lost a couple of my
14 sisters last year. Not to the COVID. They were sick. And,
15 you know, so we are a very close family.

16 Just really Coress and her son and myself, so we
17 always -- you know, I always try to encourage them to -- you
18 know, we do family things. We eat together. We go out. And
19 we've been like that for years.

20 Before the grandson came, that's the way me and
21 Coress and myself we always -- we did things together always.
22 Like the only parent at her basketball game and all the
23 coaches they was like no matter where the game took place, I
24 was there, always supportive of her. Anything that she
25 wanted to do, her music, I encouraged her.

1 Everything that she stopped doing I continued to
2 encourage her to do it. So she's back writing. She's back
3 rapping. She's back doing the -- well, today we'll go out
4 after we finish here. We'll go shopping. You know, this is
5 the things that I know when she's very happy. And then when
6 she stopped doing this, something is -- something is not
7 right there. So she's getting back happy.

8 Q Ms. Doe, how long did she stop doing those activities,
9 the Wii Bowling, the shopping, the other family events, how
10 long did all that stop for?

11 A We just -- honest, we just started. We had -- Christmas
12 she came down. She came down for Christmas to play. And I'm
13 just going to assume it was Christmas. And one more time
14 after that. But since then, we've only play two where we
15 normally would play like every other weekend. We didn't play
16 Friday. We played Saturday.

17 Q Okay. And you mentioned that the night Coress came
18 home, you know, she had told you what happened. Can you just
19 tell the Court what you did and what you and her did after
20 she had told you everything that happened in terms of going
21 to the police station, and in terms of going back to the
22 dealership, just tell the story to the Court.

23 A So once she -- once she explained to me what's happening
24 and once I consoled her, I told what we were going to do in
25 the morning.

1 And she told me that she was fired and stuff. And
2 I told her that's okay. And I said I will go with you to the
3 -- to get the rest of your things, but we were going to go to
4 the precinct.

5 So when I when I went to her place of business and
6 I asked -- I was like -- I asked her, I said -- I seen the
7 gentleman in her office, I said is that your boss? And she
8 said, yes. And I kind of like froze. You know. I froze
9 when I saw him and I just stared at him and he would not give
10 me no eye contact. And I continued. I continued to look at
11 him.

12 So Coress was like telling me to come. And she's
13 like -- I couldn't even move. She's like, mom, come, come.
14 I couldn't move. I continued to stare at him. And then
15 finally I kind of like snapped at him and I said to him -- I
16 said you will get what's coming to you. And then I told
17 Coress come on.

18 Then we went to the precinct. Already I was
19 sitting in the car. They wouldn't let me come in. But they
20 were talking to Coress for hours. They were talking to
21 Coress for hours. And they did the police report.

22 And then I did have an opportunity to speak to one
23 of the detectives and I was asking him, you know, what comes
24 out of a case like this? And he was like he was going to
25 follow up. We've just got to find him. And he was like your

1 daughter's very brave. One policeman said your daughter --
2 it was a female officer
3 -- and she had apologized for what had happened to her. She
4 said that she had to leave. She had to leave out of there.

5 So then months later nothing came of it and I had
6 asked Coress did you get any information and then she said
7 she didn't get any information.

8 So then I had contact and then they said the
9 investigating detective, he was on vacation regarding the
10 case. And we didn't -- as of this day, we haven't heard
11 anything about the criminal part of this issue.

12 Q Okay. And, Ms. Doe, is there anything else you would
13 like the Court to know about how -- your observations of how
14 this affected your daughter?

15 A Well, if I didn't mention, like I said, she did -- she
16 had like a lot of anxiety. And I was able to identify with
17 that because I have a background in psychology and I have
18 credit for social work because that's my field. I'm an
19 individual who assigns cases.

20 And I've seen Coress with a lot of the signs and
21 symptoms. So that's why I was able to assist her and support
22 her. And I knew in fact what she was going through.

23 She had the -- the cutting of the hair was the
24 worst and feeling that she needed to look like -- I'm going
25 to say the word ugly to move around in society. This is the

1 thing she was feeling.

2 I've encouraged her that, you know, she don't have
3 to feel that way. She's a beautiful young lady and to
4 continue to be beautiful. She shut down. She was very
5 isolated. And it's not the same for her. It's not the same
6 for her.

7 This is not her fault at all and I'm going to keep
8 that issue going with her and I want her to just continue.
9 And I really appreciate the fact that she came today. And
10 she looks beautiful. And we will go shopping. And I'm real
11 proud of her.

12 Q One more question if I may.

13 A Yes.

14 Q You mentioned your background in psychology and social
15 work. Can you tell the Court what your background is, who
16 you worked for in that capacity?

17 A I worked for over 34 years with the New York City
18 Housing Authority. And that's public housing. And that's
19 were over 400,000 residents that reside in public housing in
20 there.

21 I worked in the Social Services Department for over
22 two years and I'm the individual that does the assessment
23 intake for the referrals and assignments to the social
24 workers. Whatever the referral issues are, I will assign the
25 cases to the social workers.

1 And psychology, I went to school for it. That's my
2 concentration in psychology. And I have 30 credits in social
3 work.

4 Q Thank you. I have nothing further.

5 THE COURT: All right.

6 MR. FRIEDMAN: Thank you, Your Honor.

7 THE COURT: Thanks. You can step down. Thank you.

8 THE WITNESS: Thank you.

9 MR. FRIEDMAN: Anything else, Your Honor? I'd be
10 happy to give some remarks. Or if they're not needed, you
11 tell me what. Or if there's anything else from the Court
12 that's needed at this time.

13 THE COURT: You mentioned filing a letter after the
14 hearing with the information about the employment. If
15 there's anything else you want to add to that, you could do
16 that.

17 MR. FRIEDMAN: Sure. Sure. If the Court would
18 like, I could give a summation of it, or I can do it in the
19 letter, however the Court --

20 THE COURT: Why don't you put it in your letter.

21 MR. FRIEDMAN: Okay. Will do.

22 THE COURT: Okay?

23 MR. FRIEDMAN: All right. Thank you, Your Honor.

24 THE COURT: All right. Thanks, everyone. And I'll
25 await your letter.

1 MR. FRIEDMAN: I appreciate that. Thank you.

2 THE COURT: Have a good day.

3 (Proceedings concluded at 3:45 p.m.)

4

5 I, CHRISTINE FIORE, Certified Electronic Court Reporter and
6 Transcriber, certify that the foregoing is a correct
7 transcript from the official electronic sound recording of
8 the proceedings in the above-entitled matter.

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Christine Fiore

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March 28, 2022

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Christine Fiore, CERT

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Transcriber

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